

SAFETY CHECKPOINTS

1. **PURPOSE:** This written directive establishes guidelines for conducting traffic safety checkpoints.
2. **POLICY:** A Safety Checkpoint Program, in conjunction with other documented selective enforcement techniques, should increase the public perception that intoxicated motorists, persons driving without driver's license and/or proof of required liability insurance or proof of vehicle registration will be targeted for arrest and/or cited for violating state laws. In an effort to substantially reduce the number of alcohol-related motor vehicle accidents and increase compliance with all traffic laws, the Huntsville Police Department will conduct safety checkpoints as needed.
3. **SCOPE:** This Written Directive is applicable to all sworn personnel, as well as those persons assigned to perform crime and traffic analysis.
4. **RESPONSIBILITY**
 - A. It is the responsibility of all sworn personnel to comply with this Written Directive.
 - B. It is the responsibility of those persons assigned to perform crime and traffic analysis to formulate reports and provide statistical analyses of the data reported from a Safety Checkpoint.
5. **PROCEDURES**
 - A. **CHECKPOINT PLANNING:** All Safety Checkpoints are to be planned in advance and strictly supervised by a Sergeant. Patrol Officers will be prohibited from arbitrarily setting up a checkpoint with no prior planning or supervision.
 - B. **SITE SELECTION:** Safety of the public, as well as the officers involved, is extremely important. The supervisor must select the checkpoint site using the following criteria:
 1. There must be adequate visibility afforded to on-coming motorists.
 2. The site should be a location where there is a high incidence of alcohol-related traffic accidents or where statistical traffic analysis indicates high usage by motorists driving under the influence of alcohol. The site can also be at a location where high visibility can increase compliance with other traffic violations including, but not limited to, proof of required insurance, proof of registration and seatbelt laws. (Delaware vs. Prouse, 440 U. S. 648, 663).
 3. There must be adequate space at the site to pull suspect vehicles out of the traffic stream for further examination without creating a traffic hazard.

4. The site must have adequate space for police vehicles and personnel who will work the checkpoint.
 5. The site must have no particular characteristics that will create a hazard for the motorists or the officers working the checkpoint.
 6. The volume of traffic should be in proportion to the number of officers available to work the checkpoint.
- C. **WARNING DEVICES:** Adequate warning must be given to motorists that a checkpoint has been established. This may be accomplished by using warning signs, traffic cones, and police vehicles with emergency lights. When practical, warning signs should be placed along the roadway well in advance of the checkpoint to alert motorists that they will be required to stop. [The United States Supreme Court has stated that the use of warning signs appears to reduce the subjective intrusion involved in checkpoint stops (*U.S. v. Martinez-Fuerte*, *Supra*)]. Signs should be placed to provide adequate warning to the motorist being stopped but at the same time should not afford the impaired driver an opportunity to avoid the checkpoint.
- D. **VISIBILITY OF POLICE AUTHORITY:** The high visibility of the uniformed officers and their marked police vehicles makes the power of the police presence obvious and serves to reassure motorists of the legitimate nature of the activity.
- E. **CONTINGENCY PLANNING:** The supervisor responsible for planning the checkpoint will use a non-discretionary systematic method of checking vehicles at the site. If intermittent traffic conditions cause the officers to stray from this pre-determined method of checking vehicles (e.g., if a traffic back-up occurs), it shall be the responsibility of the supervisor in charge of the checkpoint to change the order of vehicle selection or to discontinue the operation. In the planning stage, the supervisor will consider in advance, an alternate site and be prepared for operation.
- F. **MINIMUM INTRUSION:** Motorists who are not suspected of traffic related violations should not be detained for more than a reasonable amount of time. Driver and vehicle checks are to be performed in the following manner.
1. Request a driver's license.
 2. Request proof of insurance and vehicle registration.
 3. Check for compliance with seatbelt and child safety laws.
 4. Use a divided attention test (e.g. after requesting the driver's license and other paperwork, while the driver is looking for it, engage the driver in conversation requiring a response).
 5. Check the vehicle for mechanical defects.

6. Check the license tag.

7. Pass out informative literature on DUI or traffic accident data if available.

G. **CHEMICAL TEST LOGISTICS:** Since DUI arrests can be anticipated at a safety checkpoint, the logistics of chemical testing must be considered. A system for expeditiously transporting suspected violators to chemical test sites must be considered.

H. **PUBLICITY:** To attain the maximum benefit in terms of the general deterrent affect, a safety checkpoint program should be aggressively publicized. The majority of the driving public will never encounter a checkpoint but will learn of it only through media reports or word-of-mouth. When practical, a safety checkpoint should be reported to the media prior to the event. This form of communication will enhance the deterrent effects of the safety checkpoint and other traffic enforcement programs.

I. **SUPERVISOR'S REPORT:** Prior to the checkpoint the supervisor will submit as a courtesy a Safety Checkpoint Certification form for each location to the Municipal Court Judge for pre-approval. Copies of the latest bar chart forms showing DUI Arrests and Motor Vehicle Accidents by primary locations will also be included. At the completion of the checkpoint the supervisor will complete the Safety Checkpoint Certification form and forward it to the necessary parties (Municipal Court Judge, City Attorney's Office, the Chain of Command when needed, etc.).